REMARKS

Restriction requirement.

In the Office Action dated July 28, 1999, the Examiner required restriction to one of the following groups under 35 U.S.C. §121:

Group I: Claims 1-22, 34-44, and 53-54 drawn to antibodies that bind to the F5 or C1 antibody and to chimeric molecules comprising these antibodies;

Group II: Claims 23-33, drawn to a method of delivering an effector molecule using the F5 or C1 antibodies; and

Group III: Claims 45-52, drawn to nucleic acids encoding the F5 or C1 antibodies.

In response to this restriction requirement, Applicants provisionally elect Group I, claims 1-22, 34-44, and 53-54, with traverse.

Applicants submit that restriction between Groups I, II and III is unnecessary. According to MPEP §803, the Examiner should examine all claims in an application, even though they are directed to distinct inventions, unless to do so would create a serious burden. In the instant case, Group I claims are drawn specifically to F5 and to C1 antibodies and to chimeric molecules comprising these antibodies. Group II is drawn to methods of use of these molecules and Group III is drawn to nucleic acids encoding these molecules. A search for prior art relevant to the F5 and C1 antibodies would be expected to identify any art (if such exists) relevant to the methods of use and the nucleic acids encoding the antibodies. Thus a search for prior art relevant to Groups I, II, and III entails no greater burden than a search for art relevant to Group I alone. As the search for all three groups imposes no greater burden than the search for a single group, Applicants submit that there is no undue burden and that it is appropriate that the claims of Group I, II and III be examined together.

Sequence Listing

The Office Action additionally a request to correct formal errors in the Sequence Listing. In particular, identification of "Xaa" in SEQ ID NO: 2 and identification of "n" SEQ ID NO: 4 were requested.

In accordance with 37 C.F.R. §§1.821-1.825, Applicants submit herewith the required paper copy and computer readable copy of the Substitute Sequence Listing. The substitute listing eliminates "Xaa" and provides proper identification of "n" as "A", "C", "G", or "T" or "U".

The information contained in the computer readable disk was prepared through the use of the software program "PatentIn" (Version 2.0) and is identical to that of the paper copy.

The amendments made herein are in order to comply with 37 C.F.R. §§1.821-1.825 and provide a paper copy of the sequence listing and thus introduce no new matter. The identification of "Xaa" and "n" find support in the sequences as originally filed.

Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (415) 248-5500.

Dated: September 15, 1999.

Respectfully submitted,

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